

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA

v.

JOSEPH DILLARD

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No. 3:07-cr-67

MEMORANDUM AND ORDER

This criminal case is before the court on the defendant's motion to continue the trial [doc. 24]. The defendant says that additional discovery, including FBI lab reports, is needed in order to prepare his defense in this case. Neither the co-defendant nor the government have any objection to a continuance.

The court finds the defendant's motion well-taken, and it will be granted. The court finds that the ends of justice served by granting the motion outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A). The court finds that the failure to grant the defendant's motion would deny the defendant the reasonable time necessary to obtain necessary discovery and prepare his defense, and he would be unfairly prejudiced. 18 U.S.C. § 3161(h)(8)(B)(iv). Therefore, all the time from the defendant's motion for a continuance to the new trial date is excludable as provided by the Speedy Trial Act. 18 U.S.C. § 3161(h)(8)(A).

It is hereby **ORDERED** that the defendant's motion for a continuance is **GRANTED**, and this criminal case is **CONTINUED** to December 18, 2007, at 9:00 a.m.

ENTER:

s/ Leon Jordan
United States District Judge